

## Legislative Link Update Week of February 25 – March 1, 2013

Today marks the 47th day of the legislative session, or about the midpoint in a session that is theoretically supposed to last 100 days.

After the flurry of activity the previous week, committee activity was relatively light this week and in fact many committees chose not to meet at all. So far, committee agendas are also relatively light for next week.

There was however a lot of floor activity with many bills being approved in Committee of the Whole (COW) or by the full House or Senate. One such bill was HB 2281 which requires that if a property owner receives a notice of foreclosure on the property after a tenant has entered into a rental agreement, the owner is required to provide the tenant with a written notice with specified information. The bill passed the House on a rare nearly unanimous vote of 58-1 and has been forwarded to the Senate for its consideration.

Another bill that may be of interest to neighborhood leaders is SB 1241 which would bar teenage drivers from using a wireless communications device while operating a vehicle for the first 6 months that they have their driver's license. This bill has been approved by 2 Senate committees and now will be reviewed by the Senate Rules Committee on Monday before going to the full Senate for approval.

The attached list includes a summary of introduced bills that may be of interest to you. Bills that received action during the week are **highlighted** in the attachment.

The following bills are currently scheduled for a committee hearing during the upcoming week.

### **Posted Calendars and Committee Hearings**

H2165: PUBLIC LIBRARIES; CIRCULATION RECORDS; PRIVACY

*Calendar: 3/4 House COW*

H2281: FORECLOSURE; TENANT NOTIFICATION

*Hearing: Senate Commerce, Energy & Military (Wednesday 03/06/13 at 9:00 AM, Senate Rm. 1)*

H2327: DANGEROUS DRUGS; DEFINITION

*Hearing: Senate Judiciary (Monday 03/04/13, Senate Rm. 1)*

H2555: POTENTIALLY VIOLENT PERSONS; REPORTING REQUIREMENTS

*Calendar: 3/4 House COW*

S1209: MINORS; TOBACCO-DERIVED PRODUCTS

*Hearing: House Judiciary (Thursday 03/07/13 at 10:00 AM, House Rm. 4)*

**S1241: TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED**

*Hearing: Senate Rules (Monday 03/04/13 at 1:00 PM, Senate Caucus Rm.)*

**S1266: ILLEGAL DUMPING; PENALTIES**

*Hearing: Senate Rules (Monday 03/04/13 at 1:00 PM, Senate Caucus Rm.)*

**S1301: TECH CORRECTION; LIQUOR LICENSES FUND (adopted strike-everything amendment on microbreweries)**

*Calendar: 3/4 Senate COW*

**S1346: DANGEROUS DRUGS; ANALOGUES; PENALTIES**

*Hearing: Senate Rules (Monday 03/04/13 at 1:00 PM, Senate Caucus Rm.)*

Thank you again for your participation.

Remember, you can watch committee hearings via the internet by going to the [legislature's website](#) and clicking on the live proceedings hyperlink located in the column on the left side of the page.

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Arizona State Legislature Website: [www.azleg.gov](http://www.azleg.gov)

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### **March 1, 2013 Bill List**

Below is a list of bills that may be of interest to you. This list is provided as a courtesy to Glendale residents and is intended to be for information only. The City of Glendale may not have official positions on the bills listed. Bill summaries are provided by Arizona Capitol Reports. For a more detailed review of specific bills please visit [www.azleg.gov](http://www.azleg.gov). Bills that had action taken on them this week are **highlighted** below.

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Bill Summaries

**H2002: MISSING CHILD; REPORTING; OFFENSE**

A parent or person who has care or custody of a child under six years of age and who knows or has reason to know that the child has been missing for more than 24 hours is required to immediately report the child as missing to law enforcement. Violations are a class 5 felony.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Ugenti](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

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<a href="#">H2002</a> Daily History	Date Action
MISSING CHILD; REPORTING; OFFENSE 1/14 referred to House <a href="#">jud</a> .	

#### [H2004](#): ONLINE IMPERSONATION; OFFENSE

Establishes the crime of online impersonation, defined as using the name of another person without their consent, and with the intent to harm or defraud any person, to create a web page or send messages through a website or other electronic communication.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Ugenti](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2004</a> Daily History	Date Action
ONLINE IMPERSONATION; OFFENSE 1/14 referred to House <a href="#">jud</a> .	

#### [H2072](#): LIVE ANIMAL PRIZES PROHIBITED

It is a class 3 misdemeanor to give away live animals as a prize for or as an inducement to enter any game or other competition, as an inducement to enter a place of amusement or as an incentive to enter into a business agreement.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Kavanagh](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2072</a> Daily History	Date Action
LIVE ANIMAL PRIZES PROHIBITED 1/29 referred to House <a href="#">jud</a> .	

#### [H2073](#): ANIMAL ABUSE; PROHIBITED ANIMAL OWNERSHIP

A person who is convicted of certain animal cruelty related crimes is prohibited from adopting, owning or otherwise having care of any animal in the person's household. Violations are a class 1 misdemeanor. Within 90 days after conviction, the person must transfer all animals to another person who is not in the same household. After two years, the person may apply to the sentencing court to have their right to possess an animal restored.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Kavanagh](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2073</a> Daily History	Date Action
ANIMAL ABUSE; PROHIBITED ANIMAL OWNERSHIP 2/28 House COW approved with floor amend #4455. Passed House 44-12; ready for Senate.	
ANIMAL ABUSE; PROHIBITED ANIMAL OWNERSHIP 2/19 stricken from House consent calendar by Kavanagh.	
ANIMAL ABUSE; PROHIBITED ANIMAL OWNERSHIP 2/18 to House consent calendar. From House <a href="#">rules</a> okay.	
ANIMAL ABUSE; PROHIBITED ANIMAL OWNERSHIP 2/14 from House <a href="#">jud</a> do pass.	
ANIMAL ABUSE; PROHIBITED ANIMAL OWNERSHIP 1/23 referred to House <a href="#">jud</a> .	

#### [H2084](#): CIVIL ACTIONS; LIMITATIONS; SEXUAL OFFENSES

An action for recovery of damages based on injury suffered as a result of the direct conduct of another which would constitute a sexual offense, sexual exploitation of children, or incest may be commenced at any time.

ARS Titles Affected: [12](#)

First sponsor: [Rep. Campbell](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2084</a> Daily History	Date Action
CIVIL ACTIONS; LIMITATIONS; SEXUAL OFFENSES 1/22 referred to House <a href="#">jud</a> .	

#### [H2092](#): HOAS; RESALE DISCLOSURE FEES

Beginning with the fee in effect on January 1, 2013, homeowner's associations and condo associations cannot increase the fee charged for resale disclosure documents and statements by more than three percent per year.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Brophy McGee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

support the measure.

<a href="#">H2092</a> Daily History	Date Action
HOAS; RESALE DISCLOSURE FEES 1/17 referred to House <a href="#">gov</a> .	

#### [H2124](#): FIRE DIST REORGANIZATION ELECTIONS

Various changes to statutes governing elections to reorganize a fire district, including requiring any person seeking election to the governing body that would be formed or expanded upon reorganization to comply with the nomination requirements for a candidate prescribed in state statute, including filing a nomination paper and nomination petitions.

ARS Titles Affected: [48](#)

First sponsor: [Rep. Ugenti](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2124</a> Daily History	Date Action
FIRE DIST REORGANIZATION ELECTIONS 2/19 referred to Senate <a href="#">elect</a> .	
FIRE DIST REORGANIZATION ELECTIONS 2/12 passed House <a href="#">59-0</a> ; ready for Senate.	
FIRE DIST REORGANIZATION ELECTIONS 2/4 to House consent calendar. From House <a href="#">rules</a> okay.	
FIRE DIST REORGANIZATION ELECTIONS 1/30 from House <a href="#">gov</a> do pass.	
FIRE DIST REORGANIZATION ELECTIONS 1/22 referred to House <a href="#">gov</a> .	

#### [H2135](#): PLANNED COMMUNITIES; DECLARANT; BDS; VOTING

After the period of declarant control, the declarant cannot hold more than one seat on the board of directors of a homeowner's association or condo association. Homeowner's associations and condo associations are required, instead of permitted, to provide for voting by use of electronic mail and facsimile delivery.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Lovas](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2135</a> Daily History	Date Action
PLANNED COMMUNITIES; DECLARANT; BDS; VOTING 1/22 referred to House <a href="#">gov</a> .	

#### [H2145](#): HOAS; AGENCY AUTHORITY

For HOA and condo associations that contract with a management company, the management company and its officers and employees may lawfully act on behalf of the association and its board of directors on all matters within the scope of the agency agreement executed between the company and the board.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Brophy McGee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2145</a> Daily History	Date Action
HOAS; AGENCY AUTHORITY 1/22 referred to House <a href="#">gov</a> .	

#### [H2146](#): VOTER REGISTRATION; SAME DAY

A person who is otherwise qualified to vote may register on Election Day at the polling place for the precinct in which that person maintains residence. Election day registration does not qualify a person to vote in a partisan primary election until at least 29 days after the date of registration.

ARS Titles Affected: [16](#)

First sponsor: [Rep. Quezada](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2146</a> Daily History	Date Action
VOTER REGISTRATION; SAME DAY 1/22 referred to House <a href="#">jud</a> .	

#### [H2154](#): CONDOS; PLANNED COMMUNITIES; ADMIN HEARINGS

If the petitioner prevails in an administrative hearing for a dispute between an owner and a homeowner's or condo association or a mobile home parks landlord and tenant, the administrative law judge is required to order the respondent to pay any attorney fees reasonably incurred by the petitioner. Also, if a petition for a hearing in a dispute between an owner

and a homeowner's or condo association is dismissed at the owner's request before a hearing is held, the filing fee must be refunded to the owner.

ARS Titles Affected: [41](#)

First sponsor: [Rep. Kavanagh](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2154](#) Daily History**

**Date Action**

CONDOS; PLANNED COMMUNITIES; ADMIN HEARINGS 2/28 from House [appro](#) with amend [#4426](#).

CONDOS; PLANNED COMMUNITIES; ADMIN HEARINGS 2/26 withdrawn from House [gov](#) and additionally referred to [appro](#).

CONDOS; PLANNED COMMUNITIES; ADMIN HEARINGS 1/22 referred to House [gov](#).

**[H2155](#): HOAS; RESERVE FUND DISCLOSURE**

Homeowner's associations are required to include in annual corporate filing an addendum entitled "disclosure regarding reserve fund study" in substantially a specified form. The Corporation Commission is required to make the addendums filed available to the public on its website.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Kavanagh](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2155](#) Daily History**

**Date Action**

HOAS; RESERVE FUND DISCLOSURE 1/22 referred to House [gov](#).

**[H2165](#): PUBLIC LIBRARIES; CIRCULATION RECORDS; PRIVACY**

Deletes all exemptions from the prohibition on disclosure of public library records or other information that identifies a library user as requesting or obtaining specific materials or services.

ARS Titles Affected: [41](#)

First sponsor: [Rep. Dial](#)

Others: [Sen. McComish](#), [Rep. Robson](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2165](#) Daily History**

**Date Action**

PUBLIC LIBRARIES; CIRCULATION RECORDS; PRIVACY 2/25 from House [rules](#) okay.

PUBLIC LIBRARIES; CIRCULATION RECORDS; PRIVACY 2/14 from House [tech-inf](#) with amend [#4154](#).

PUBLIC LIBRARIES; CIRCULATION RECORDS; PRIVACY 1/22 referred to House [tech-inf](#).

**[H2187](#): CONSUMER FIREWORKS; REGULATIONS**

Municipalities are authorized to regulate the sale and use of permissible consumer fireworks within municipal limits and counties are authorized to regulate the sale and use of permissible consumer fireworks in unincorporated areas.

ARS Titles Affected: [36](#)

First sponsor: [Rep. Fann](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2187](#) Daily History**

**Date Action**

CONSUMER FIREWORKS; REGULATIONS 2/20 House [pub-mil-reg](#) held.

CONSUMER FIREWORKS; REGULATIONS 1/23 referred to House [pub-mil-reg](#).

**[H2193](#): FORECLOSED PROPERTIES; HOAS; MAINTENANCE**

Homeowners' associations are allowed to remove trash or repair hazardous structures on foreclosed properties. The association is allowed to place a lien on the property for the costs, and the property owner is liable.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Miranda](#)

Others: [Rep. Cardenas](#), [Rep. Contreras](#), [Rep. Dalessandro](#), [Rep. Escamilla](#), [Rep. Gabaldon](#), [Rep. Gonzales](#), [Rep. Hernandez](#), [Rep. Mendez](#), [Rep. Otondo](#), [Rep. Steele](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2193](#) Daily History**

**Date Action**

FORECLOSED PROPERTIES; HOAS; MAINTENANCE 1/22 referred to House [gov](#), [fin-inst](#).

## **H2258: MOBILE HOME PARKS; LANDSCAPE MAINTENANCE**

Unless specifically provided in a written lease agreement executed before January 1, 2013, a mobile home park landlord is responsible for maintenance of all landscaping that was in place on the mobile home space before the tenant took possession. For lease agreements executed beginning January 1, 2013, lease agreements must specifically disclose any requirements that the tenant maintain existing landscaping.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Forese](#)

Others: [Rep. Dial](#), [Rep. Shope](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

### **H2258 Daily History**

### **Date Action**

MOBILE HOME PARKS; LANDSCAPE MAINTENANCE 2/14 retained on House COW calendar.

MOBILE HOME PARKS; LANDSCAPE MAINTENANCE 2/11 from House [rules](#) okay.

MOBILE HOME PARKS; LANDSCAPE MAINTENANCE 2/6 withdrawn from House [com](#).

MOBILE HOME PARKS; LANDSCAPE MAINTENANCE 2/6 House [com](#) held.

MOBILE HOME PARKS; LANDSCAPE MAINTENANCE 1/30 from House [gov](#) with amend [#4015](#).

MOBILE HOME PARKS; LANDSCAPE MAINTENANCE 1/22 referred to House [gov](#), [com](#).

## **H2261: SCRAP METAL; THEFT**

Establishes the crime of metal theft for knowingly controlling or obtaining ferrous metal or nonferrous metal that is the property of another. Proof of possession of scrap metal that was recently stolen or proof of the sale of stolen scrap metal at a price substantially below fair market value may give rise to an inference the person was aware of the risk it had been stolen. Metal theft is a class 2 (second highest) felony. A person convicted of certain types of metal theft involving metal with a value of \$100,000 or more are not eligible for suspension of sentence, probation, pardon or release. A means of transportation used in the commission of metal theft is subject to mandatory vehicle immobilization or impoundment.

ARS Titles Affected: [13](#) [28](#)

First sponsor: [Rep. Forese](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

### **H2261 Daily History      Date Action**

SCRAP METAL; THEFT 1/23 referred to House [jud](#).

## **H2274: HOAS; REGISTRY**

Beginning January 1, 2015, HOAs are required to register with the Secretary of State instead of record information with the county recorder. Beginning March 1, 2015, the Secretary of State is required to post this information online in a form that makes it available to the public. The Secretary of State is required to provide for the establishment of a registry for HOAs by soliciting proposals from nonprofit corporations to provide the registry service. The contract provider may charge a fee for the registry service.

ARS Titles Affected: [33](#) [41](#)

First sponsor: [Rep. Forese](#)

Others: [Rep. Brophy McGee](#), [Rep. Dial](#), [Rep. Thorpe](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

### **H2274 Daily History      Date Action**

HOAS; REGISTRY 1/22 referred to House [gov](#).

## **H2281: FORECLOSURE; TENANT NOTIFICATION**

If a property owner receives a notice of foreclosure on the property after a tenant has entered into a rental agreement, the owner is required to provide the tenant with a written notice with specified information.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Smith](#)

Others: [Rep. Shope](#), [Rep. Stevens](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

### **H2281 Daily History**

### **Date Action**

FORECLOSURE; TENANT NOTIFICATION 2/27 referred to Senate [com-energy-mil](#).

FORECLOSURE; TENANT NOTIFICATION 2/26 passed House [58-1](#); ready for Senate.

FORECLOSURE; TENANT NOTIFICATION 2/18 to House consent calendar. From House [rules](#) okay.

FORECLOSURE; TENANT NOTIFICATION 2/7 from House [ref-hu ser](#) do pass.  
FORECLOSURE; TENANT NOTIFICATION 1/22 referred to House [ref-hu ser](#).

### **H2312: SOLICITATION; TEXT MESSAGE; PROHIBITION**

It is a class 2 misdemeanor to use an automated system to send a text message for the purpose of soliciting persons to purchase goods or services.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Farnsworth](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<b><u>H2312</u> Daily History</b>	<b>Date Action</b>
SOLICITATION; TEXT MESSAGE; PROHIBITION	2/26 withdrawn from House <a href="#">jud</a> .
SOLICITATION; TEXT MESSAGE; PROHIBITION 2/7	from House <a href="#">tech-inf</a> do pass.
SOLICITATION; TEXT MESSAGE; PROHIBITION 1/22	referred to House <a href="#">tech-inf</a> , <a href="#">jud</a> .

### **H2327: DANGEROUS DRUGS; DEFINITION**

The definition of "dangerous drugs" and the list of schedule I controlled substances are expanded to include any material, compound, mixture or preparation which contains "cannabimimetic substances" (defined) and their salts, isomers and salts of isomers, and to add to the list of substances associated with a stimulant effect on the central nervous system. Emergency clause. AS PASSED HOUSE.

ARS Titles Affected: [13](#) [32](#) [36](#)

First sponsor: [Rep. Farnsworth](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<b><u>H2327</u> Daily History</b>	<b>Date Action</b>
DANGEROUS DRUGS; DEFINITION 2/19	referred to Senate <a href="#">jud</a> .
DANGEROUS DRUGS; DEFINITION 2/12	passed House <a href="#">59-0</a> ; ready for Senate.
DANGEROUS DRUGS; DEFINITION 2/7	House COW approved with floor amend <a href="#">#4090</a> .
DANGEROUS DRUGS; DEFINITION 2/5	stricken from House consent calendar by Farnsworth.
DANGEROUS DRUGS; DEFINITION 2/4	to House consent calendar. From House <a href="#">rules</a> okay.
DANGEROUS DRUGS; DEFINITION 1/24	from House <a href="#">jud</a> do pass.
DANGEROUS DRUGS; DEFINITION 1/22	referred to House <a href="#">jud</a> .

### **H2337: HOAS; CONDOS; RENTAL PROPERTIES**

Homeowners and condo association members are permitted to use the member's property as a rental property unless prohibited in the declaration, and to designate a third party to act as agent with respect to HOA matters on the property. The HOA is prohibited from requiring a copy of rental applications or contracts or requiring a tenant to limit or waive rights of due process as a condition of occupancy. The HOA is permitted to charge an administrative fee of up to \$25 for each new tenancy.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Petersen](#)

Others: [Rep. Boyer](#), [Rep. Farnsworth](#), [Rep. Livingston](#), [Rep. Stevens](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<b><u>H2337</u> Daily History</b>	<b>Date Action</b>
HOAS; CONDOS; RENTAL PROPERTIES 1/22	referred to House <a href="#">gov</a> .

### **H2363: HOAS; HOME GARDENING**

HOAs cannot prohibit a member from using any portion of the member's property as a vegetable garden or for the cultivation of other edible plants.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Mendez](#)

Others: [Rep. Alston](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<b><u>H2363</u> Daily History</b>	<b>Date Action</b>
HOAS; HOME GARDENING 1/22	referred to House <a href="#">gov</a> .

### **H2371: TECH CORRECTION; MATERIALS; RESIDENT PREFERENCE**



Minor change in Title 34 (Public Buildings) related to preference for materials supplied by resident dealers. Apparent striker bus.

ARS Titles Affected: [34](#)

First sponsor: [Rep. Ugenti](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2371](#) Daily History**

**Date Action**

TECH CORRECTION; MATERIALS; RESIDENT PREFERENCE 2/20 from House [gov](#) with amend [#4249](#).

TECH CORRECTION; MATERIALS; RESIDENT PREFERENCE 2/18 referred to House [gov](#).

**[H2374](#): SCHOOL SAFETY PROGRAM; FUNDING; EXPANSION**

In conjunction with local law enforcement, school districts and charter schools are required to develop and annually update a comprehensive threat assessment for each school site. The Arizona School Safety Fund is established, to be administered by the Department of Education. The Dept will distribute monies from the Fund in the form of grants to school districts and charter schools to enhance security measures and equipment based on the needs in the assessment. Appropriates \$20 million from the general fund in FY2013-14 to the Dept for deposit in the Fund, and \$1 million to the Dept for providing statewide training and assistance with the assessments. Also expands the School Safety Program to include charter schools and appropriates \$17.2 million from the general fund in FY2013-14 to the Dept for the School Safety Program. Appropriates \$20 million from the general fund in FY2013-14, \$40 million in FY2014-15, and \$62 million in FY2015-16 to the Dept for distribution to school districts to hire additional school counselors, school psychologists or mental health specialists.

ARS Titles Affected: [15](#)

First sponsor: [Rep. Campbell](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2374](#) Daily History**

**Date Action**

SCHOOL SAFETY PROGRAM; FUNDING; EXPANSION 2/5 referred to House [pub-mil-reg, appro.](#)

**[H2424](#): SALVIA DIVINORUM; UNLAWFUL ACTS**

It is a class 2 misdemeanor for a person to sell, dispense or administer the herb salvia divinorum or any substance containing it to a person under 21 years of age.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Meyer](#)

Others: [Rep. Mach](#), [Rep. Otondo](#), [Rep. Wheeler](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2424](#) Daily History**

**Date Action**

SALVIA DIVINORUM; UNLAWFUL ACTS 1/23 referred to House [jud, hel.](#)

**[H2460](#): HOAS; MASTER ASSN DUES**

Members of an age-restricted planned community may be required to make payments to a master association under specified circumstances.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Gowan](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2460](#) Daily History**

**Date Action**

HOAS; MASTER ASSN DUES 1/23 referred to House [gov](#).

**[H2515](#): SEX OFFENDERS; NETWORKING WEBSITES; NOTIFICATION**

A person who is required to register as a level 2 or level 3 sex offender and who is otherwise not prohibited from using a "networking website" (defined) must include in the person's profile for a networking website an indication that the person is a registered sex offender. This information must be displayed in the person's profile and must be visible to or able to be viewed by other users and visitors. The criminal classification for violations is unspecified (blank in original).

ARS Titles Affected: [13](#)

First sponsor: [Rep. Kavanagh](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*



**H2515 Daily History****Date Action**

SEX OFFENDERS; NETWORKING WEBSITES; NOTIFICATION 2/4 referred to House [jud.](#)

**[H2526](#): STREET LIGHTING IMPROVEMENT DISTRICTS**

The purposes for which an improvement district may be formed are expanded to include maintaining, repairing and replacing a district's street lighting facilities. Applies to any municipal street lighting improvement districts formed by a municipality before or after the effective date of this legislation.

ARS Titles Affected: [48](#)

First sponsor: [Rep. Ugenti](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**H2526 Daily History****Date Action**

STREET LIGHTING IMPROVEMENT DISTRICTS 2/21 retained on House COW calendar.

STREET LIGHTING IMPROVEMENT DISTRICTS 2/19 stricken from House consent calendar by Livingston.

STREET LIGHTING IMPROVEMENT DISTRICTS 2/18 to House consent calendar. From House [rules](#) okay.

STREET LIGHTING IMPROVEMENT DISTRICTS 2/12 from House [gov](#) do pass.

STREET LIGHTING IMPROVEMENT DISTRICTS 2/4 referred to House [gov.](#)

**[H2555](#): POTENTIALLY VIOLENT PERSONS; REPORTING REQUIREMENTS**

If a licensed health professional or teacher has "reasonable cause" (defined) to believe that a client or student is a danger to self or others, the person must report this information to law enforcement as soon as practicable. A person who makes such a report in good faith is not subject to criminal or civil liability.

ARS Titles Affected: [36](#)

First sponsor: [Rep. Kavanagh](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**H2555 Daily History****Date Action**

POTENTIALLY VIOLENT PERSONS; REPORTING REQUIREMENTS 2/25 from House [rules](#) okay.

POTENTIALLY VIOLENT PERSONS; REPORTING REQUIREMENTS 2/20 from House [pub-mil-reg](#) with amend #4265.

POTENTIALLY VIOLENT PERSONS; REPORTING REQUIREMENTS 2/7 referred to House [pub-mil-reg.](#)

**[H2561](#): GRAFFITI IMPLEMENTS; UNLAWFUL ACTS; MINORS**

It is a class 1 misdemeanor for a minor to possess a "graffiti implement" (defined) while on public or private property without the express consent of the owner or responsible agent of the property. Some exceptions. It is a class 1 misdemeanor for a minor to misrepresent their age with intent to induce another person to sell or furnish a graffiti implement to the minor. It is a class 3 misdemeanor for a minor to solicit another person to purchase, sell or furnish the minor with a graffiti implement. It is unlawful for any person who owns or operates a business where graffiti implements are sold to store or display them in an area accessible to the public without employee assistance. Violations are subject to a civil penalty of at least \$500.

ARS Titles Affected: [8](#) [13](#) [28](#) [41](#)

First sponsor: [Rep. Campbell](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**H2561 Daily History****Date Action**

GRAFFITI IMPLEMENTS; UNLAWFUL ACTS; MINORS 2/12 referred to House [jud.](#) [com.](#)

**[H2567](#): ANIMAL CRUELTY; OFFENSE**

The acts that constitute cruelty to animals are expanded to include intentionally, knowingly or recklessly subjecting an animal to "cruel possession," defined as confining an animal in a manner that is detrimental to the animal's health.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Brophy McGee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**H2567 Daily History****Date Action**

ANIMAL CRUELTY; OFFENSE 2/11 referred to House [agri-water.](#)

**[H2585](#): CAGED EGG-LAYING HENS**

It is a class 1 misdemeanor to confine any egg-laying hen to a "living space" (defined) that does not allow the hen sufficient space to fully extend its limbs without touching the sides of the living space. Some exceptions. A person who has confined egg-laying hens by a prohibited method before the effective date of this legislation may continue to do so until January 1, 2017.

ARS Titles Affected: [13](#)

First sponsor: [Rep. Sherwood](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2585</a> Daily History	Date Action
CAGED EGG-LAYING HENS 2/12 referred to House <a href="#">agri-water, jud.</a>	

## [H2586](#): NUTRITIONAL INFO; CHAIN RESTAURANTS

Chain restaurants or food establishments (defined as one of at least ten such restaurants or establishments in the U.S. and one of at least five in the state) are required to list nutritional information on the standard printed menu in a clear and conspicuous manner.

ARS Titles Affected: [36](#)

First sponsor: [Rep. Sherwood](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2586</a> Daily History	Date Action
NUTRITIONAL INFO; CHAIN RESTAURANTS 2/13 referred to House <a href="#">com, hel.</a>	

## [H2594](#): LOCAL TRANSPORTATION ASSISTANCE FUND; RESTORATION

Establishes the Local Transportation Assistance Fund consisting of various State Lottery Fund monies and annual appropriations to provide that the total monies available in each fiscal year equal \$20.5 million. Municipalities and counties will receive monies from LTAF in the proportion that their population bears to the total population. Annual State Lottery Fund transfers to the general fund are reduced. Also establishes the AZ State Parks Board Heritage Fund consisting of specified State Lottery Fund monies. More.

ARS Titles Affected: [5](#) [9](#) [15](#) [28](#) [36](#) [41](#) [48](#)

First sponsor: [Rep. Orr](#)

Others: [Rep. Escamilla](#), [Rep. Fann](#), [Rep. Pratt](#), [Rep. Shope](#), [Rep. Thorpe](#), [Rep. Wheeler](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2594</a> Daily History	Date Action
LOCAL TRANSPORTATION ASSISTANCE FUND; RESTORATION 2/18 from House <a href="#">energy-env</a> do pass.	
LOCAL TRANSPORTATION ASSISTANCE FUND; RESTORATION 2/12 referred to House <a href="#">energy-env, appro.</a>	

## [H2624](#): FORECLOSURE MEDIATION PROGRAM

A mandatory foreclosure mediation program is established in the Administrative Office of the Courts to address all issues of foreclosure, including modification and restructuring of the debt. For owner-occupied residences, no trust property may be sold until the mediation process has been satisfactorily completed.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Hernandez](#)

Others: [Rep. Alston](#), [Rep. Cardenas](#), [Rep. Contreras](#), [Rep. Dalessandro](#), [Rep. Escamilla](#), [Rep. Gabaldon](#), [Rep. Larkin](#), [Rep. McCune-Davis](#), [Rep. Mendez](#), [Rep. Miranda](#), [Rep. Otondo](#), [Sen. Pancrazi](#), [Rep. Saldate](#), [Rep. Sherwood](#), [Sen. Tovar](#), [Rep. Wheeler](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

<a href="#">H2624</a> Daily History	Date Action
FORECLOSURE MEDIATION PROGRAM 2/13 referred to House <a href="#">com, jud.</a>	

## [H2626](#): HOMEOWNERS' ASSOCIATIONS; DISCLOSURE; DECLARATION REVISIONS

If the seller provides HOA disclosure documents or if the buyer waives receipt of those documents, the HOA cannot charge more than \$100 for a transfer fee for the property. The purchase of HOA disclosure documents is prohibited from being a condition of transferring title to a property. Beginning January 1, 2014, for any HOA that revises or amends the declaration or any architectural or design guidelines, the member proposing the change is required to circulate the proposed revisions and obtain the signature of at least one property owner from each lot in the community and provide those signatures to the HOA Board. Some exceptions.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Petersen](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2626](#) Daily History**

**Date Action**

HOMEOWNERS' ASSOCIATIONS; DISCLOSURE; DECLARATION REVISIONS 2/12 referred to House [gov](#).

**[H2634](#): RESIDENTIAL FORECLOSURE PREVENTION ASSISTANCE**

A mandatory foreclosure prevention program is established, including required notice of loan modification programs. For a first lien against owner-occupied residences, no trust property may be sold before compliance with the program.

ARS Titles Affected: [33](#)

First sponsor: [Rep. McCune-Davis](#)

Others: [Rep. Alston](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2634](#) Daily History**

**Date Action**

RESIDENTIAL FORECLOSURE PREVENTION ASSISTANCE 2/13 referred to House [fin-inst](#), [com](#).

**[H2636](#): HOMEOWNERS' ASSOCIATIONS; ENFORCEMENT; BOARD INDEMNIFICATION**

If a homeowners association member or condo association unit owner incurs attorney fees and is successful in compelling the board to comply with any provision of the community documents or state law, the individual board members are jointly and severally liable for the attorney fees and the HOA or condo association cannot indemnify the board members unless indemnification is approved by a vote of 2/3 or more of the membership. Also, HOA and condo board members with a conflict of interest may not vote on that issue.

ARS Titles Affected: [33](#)

First sponsor: [Rep. Alston](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2636](#) Daily History**

**Date Action**

HOMEOWNERS' ASSOCIATIONS; ENFORCEMENT; BOARD INDEMNIFICATION 2/13 referred to House [gov](#), [jud](#).

**[H2643](#): HOAS; LIMITATIONS; TERMINATION; PENALTIES**

Beginning in 2014, municipal planning agencies are required to ensure that no more than 1/2 of the number of new residential properties constructed in the municipality is located within an HOA. Beginning in 2014, the HOA board is required to conduct an election of the membership at least once every eight years on the question of whether to terminate the HOA. HOAs are prohibited from imposing a penalty on a member more often than twice each calendar quarter, and penalties cannot exceed the monthly dollar amount of the regular HOA assessments on that property. The list of items subtracted from Arizona gross income for income tax purposes is expanded to include the amount of HOA dues and assessments paid.

ARS Titles Affected: [9](#) [33](#) [43](#)

First sponsor: [Rep. Montenegro](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2643](#) Daily History**

**Date Action**

HOAS; LIMITATIONS; TERMINATION; PENALTIES 2/12 referred to House [gov](#), [ways-means](#).

**[H2656](#): FIREARMS; SCHOOLS; SAFETY DESIGNEE PROGRAM**

Establishes the Optional School Safety Designee Program in the Attorney General's office. The Attorney General is required to provide training to a school district or charter school employee who has been approved and designated by the school board or charter school governing body to store a firearm on the school campus for the purpose of defending the campus. Requirements for the Program are specified. The prohibition on the possession of firearms on school grounds does not apply to a firearm possessed by a person who has completed the Program.

ARS Titles Affected: [13](#) [41](#)

First sponsor: [Rep. Stevens](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

**[H2656](#) Daily History**

**Date**

**Action**

No actions posted for this bill.

## **H2657: TRANSACTION PRIVILEGE TAX CHANGES**

Numerous changes related to transaction privilege taxes (TPT) and affiliated excise taxes. Requirements for the sourcing of transactions are established, effective January 1, 2014. Retail sales of tangible personal property must be sourced to the seller's business location if the seller receives the order at a business location in Arizona, or to the purchaser's location in Arizona if the seller receives the order at a business location outside of Arizona. For the purposes of municipal excise taxes, the jurisdiction with the right to tax a sale of tangible personal property is the municipality where the order is received (defined), or where the stock is located from which the property is taken, or where the transfer of title or possession of the property occurred. The gross receipts from leasing or renting tangible personal property must be sourced to the lessor's business location in Arizona or to the lessee's address if the lessor does not have a business location in Arizona. The list of exemptions from the retail TPT classification is modified to remove sales to nonresidents for use outside the state if the vendor ships or delivers the property out of the state, and sales of property that is shipped or delivered directly to a destination outside the U.S. for use in a foreign country. Effective January 1, 2015, the prime contracting and owner builder sales transaction privilege tax classifications are eliminated and replaced with a manufactured building dealer classification. The sale of tangible personal property to a "contractor" (defined), regardless of whether it will be incorporated into a building or structure, is considered to be a retail sale and is subject to retail TPT unless otherwise exempt. Prime contracting TPT distributions to political subdivisions are deleted. Tangible personal property sold to a manufactured building dealer is only exempt from the retail TPT classification only if the property is to be incorporated or fabricated into a manufactured building. Numerous items are removed from the list of deductions from the tax base for the manufactured building dealer classification (formerly prime contracting). Once the distribution of revenues for municipal or county infrastructure improvements related to manufacturing facilities has reached the maximum amount, 40 percent of the remaining TPT revenues from the retail classification are designated as the distribution base for state shared revenues, increased from 20 percent. The Department of Revenue is required, rather than permitted, to collect and administer TPT and use taxes imposed by municipalities and to enter into intergovernmental agreements with municipalities to provide a uniform method of administration, collection, audit and licensing of TPT and affiliated excise taxes. Municipalities are prohibited from employing auditors and entering into contracts with a party other than the state for the collection, administration and processing of TPT or affiliated taxes. Municipalities are prohibited from levying a TPT or use tax on construction contracting, owner builder sales or speculative building. Municipalities are no longer prohibited from levying a TPT or use tax on sales of motor vehicles to nonresidents for use outside the state or on any amount attributable to development fees incurred in relation to construction. Effective January 1, 2014, if a county or special taxing district levies one or more excise taxes on the effective date of this legislation, and if approved by the voters at a county-wide or district-wide election, a county or district is authorized to levy an excise tax on the storage, use or consumption in the county of tangible personal property purchased from a retailer, as a percentage of the sales price. The tax must be at a rate equal to the sum of the rates of all the excise taxes levied on the effective date. The Department of Revenue is required to collect the tax. Session law provides that this legislation does not apply to or affect the tax liability of contracts entered into before January 1, 2015 by a person engaged in business under the prime contracting classification or the construction contracting, owner builder or speculative builder classification of the model city tax code, or to the sale of tangible personal property to a contractor for incorporation into a project that was subject to a tax deduction.

ARS Titles Affected: [28](#) [41](#) [42](#) [43](#) [44](#) [48](#) [49](#)

First sponsor: [Rep. Lesko](#)

Others: [Sen. Ableser](#), [Rep. Allen](#), [Sen. Barto](#), [Rep. Barton](#), [Sen. Biggs](#), [Rep. Boyer](#), [Rep. Brophy McGee](#), [Sen. Burges](#), [Rep. Cardenas](#), [Rep. Carter](#), [Rep. Coleman](#), [Sen. Crandall](#), [Sen. Crandell](#), [Sen. Driggs](#), [Rep. Fann](#), [Sen. Farley](#), [Rep. Forese](#), [Rep. Gallego](#), [Rep. Gowan](#), [Rep. Gray](#), [Rep. Kwasman](#), [Rep. Livingston](#), [Rep. Lovas](#), [Sen. McComish](#), [Rep. Mesnard](#), [Sen. Meza](#), [Rep. Miranda](#), [Rep. Mitchell](#), [Rep. Montenegro](#), [Sen. Murphy](#), [Rep. Olson](#), [Rep. Orr](#), [Rep. Petersen](#), [Rep. J. Pierce](#), [Sen. S. Pierce](#), [Rep. Pratt](#), [Sen. Reagan](#), [Sen. Shooter](#), [Rep. Shope](#), [Rep. Thorpe](#), [Rep. Tobin](#), [Rep. Townsend](#), [Sen. Ward](#), [Rep. Wheeler](#), [Sen. Worsley](#), [Sen. Yarbrough](#), [Sen. Yee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

### **H2657 Daily History**

### **Date Action**

TRANSACTION PRIVILEGE TAX CHANGES 2/19 from House [ways-means](#) with amend [#4199](#).

TRANSACTION PRIVILEGE TAX CHANGES 2/12 referred to House [ways-means](#), [appro.](#)

## **HCR2003: MEDICAL MARIJUANA; REPEAL**

The 2014 general election ballot is to carry the question of whether to repeal the Arizona Medical Marijuana Act passed by the voters in 2010.

ARS Titles Affected: 27

First sponsor: [Rep. Kavanagh](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

### **HCR2003 Daily History**

### **Date Action**

MEDICAL MARIJUANA; REPEAL 2/12 referred to House [hel.](#) [jud.](#)

## **S1055: PROCESS SERVERS; PRIVILEGES**

While serving process, a certified process server is authorized and privileged to enter and remain lawfully on real property or unannounced in a planned community or condo association that is guarded or gated.

ARS Titles Affected: [11](#)

First sponsor: [Sen. Murphy](#)

Others: [Sen. Pancrazi](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1055](#) Daily History**

#### **Date Action**

PROCESS SERVERS; PRIVILEGES 2/18 Senate [jud](#) held.

PROCESS SERVERS; PRIVILEGES 1/17 Senate [jud](#) held.

PROCESS SERVERS; PRIVILEGES 1/16 referred to Senate [jud](#).

### **[S1098](#): MARIJUANA; CULTIVATION; COUNTY ZONING**

The restriction on county zoning regulations for general agricultural purposes does not include the cultivation of cannabis.

ARS Titles Affected: [11](#)

First sponsor: [Sen. S. Pierce](#)

Others: [Rep. Borrelli](#), [Rep. Fann](#), [Rep. Goodale](#), [Sen. Yee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1098](#) Daily History**

#### **Date Action**

MARIJUANA; CULTIVATION; COUNTY ZONING 2/26 from House [agri-water](#) do pass.

MARIJUANA; CULTIVATION; COUNTY ZONING 2/26 House [agri-water](#) do pass; report awaited.

MARIJUANA; CULTIVATION; COUNTY ZONING 2/18 referred to House [agri-water](#).

MARIJUANA; CULTIVATION; COUNTY ZONING 2/6 passed Senate [28-0](#); ready for House.

MARIJUANA; CULTIVATION; COUNTY ZONING 2/4 to Senate consent calendar. From Senate [rules](#) okay.

MARIJUANA; CULTIVATION; COUNTY ZONING 1/30 from Senate [nat res-rural](#) do pass.

MARIJUANA; CULTIVATION; COUNTY ZONING 1/22 referred to Senate [nat res-rural](#).

### **[S1103](#): CHARTER SCHOOLS; ZONING PROCEDURES**

A charter school is permitted to authorize a third party to apply to a municipality or county for any zoning application or action. Municipalities and counties are prohibited from enforcing or attempting to enforce any ordinance, procedure or process against a charter school that cannot be legally enforced against a school district. Voluntary compliance of a school district in the zoning regulations of a municipality or county does not result in the application of those zoning regulations to a charter school. AS PASSED SENATE.

ARS Titles Affected: [15](#)

First sponsor: [Sen. Yee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1103](#) Daily History**

#### **Date Action**

CHARTER SCHOOLS; ZONING PROCEDURES 2/25 from House [educ](#) do pass.

CHARTER SCHOOLS; ZONING PROCEDURES 2/18 referred to House [educ](#).

CHARTER SCHOOLS; ZONING PROCEDURES 2/11 passed Senate [27-2](#); ready for House.

CHARTER SCHOOLS; ZONING PROCEDURES 2/7 Senate COW approved with amend [#4022](#).

CHARTER SCHOOLS; ZONING PROCEDURES 2/5 from Senate [rules](#) okay.

CHARTER SCHOOLS; ZONING PROCEDURES 2/4 from Senate [educ](#) with amend [#4022](#).

CHARTER SCHOOLS; ZONING PROCEDURES 1/31 Senate [educ](#) amended; report awaited.

CHARTER SCHOOLS; ZONING PROCEDURES 1/22 referred to Senate [educ](#).

### **[S1209](#): MINORS; TOBACCO-DERIVED PRODUCTS**

The prohibition on a minor buying or possessing a tobacco product and on a person selling or furnishing a tobacco product is expanded to include a "vapor product," defined as a noncombustible tobacco-derived product that employs a mechanical heating element to heat a liquid nicotine solution contained in cartridges.

ARS Titles Affected: [13](#)

First sponsor: [Sen. Driggs](#)

Others: [Sen. Bradley](#), [Sen. Cajero Bedford](#), [Sen. Gallardo](#), [Sen. Griffin](#), [Sen. Hobbs](#), [Sen. Landrum Taylor](#), [Sen. Lopez](#), [Sen. McComish](#), [Sen. McGuire](#), [Sen. Murphy](#), [Sen. Pancrazi](#), [Sen. Reagan](#), [Sen. Shooter](#), [Sen. Tovar](#), [Sen. Worsley](#), [Sen. Yarbrough](#), [Sen. Yee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1209](#) Daily History**

#### **Date Action**

MINORS; TOBACCO-DERIVED PRODUCTS 2/25 referred to House [jud](#).

MINORS; TOBACCO-DERIVED PRODUCTS 2/14 passed Senate [28-0](#); ready for House.

MINORS; TOBACCO-DERIVED PRODUCTS 2/12 from Senate [rules](#) okay.

MINORS; TOBACCO-DERIVED PRODUCTS 2/11 to Senate consent calendar.  
MINORS; TOBACCO-DERIVED PRODUCTS 2/6 from Senate [com-energy-mil](#) do pass.  
MINORS; TOBACCO-DERIVED PRODUCTS 2/5 from Senate [jud](#) do pass.  
MINORS; TOBACCO-DERIVED PRODUCTS 2/4 Senate [jud](#) do pass; report awaited.  
MINORS; TOBACCO-DERIVED PRODUCTS 1/28 referred to Senate [jud](#), [com-energy-mil](#).

### **S1218: TEXT MESSAGING WHILE DRIVING; PROHIBITION**

It is a nonmoving civil traffic violation to use a wireless communication device to send or receive a written message while operating a motor vehicle. Some exceptions. Violations are subject to a civil penalty of \$100 for a first violation and \$300 for a second or subsequent violation, or \$300 if the person is involved in a motor vehicle accident. Emergency clause.

ARS Titles Affected: [28](#)

First sponsor: [Sen. Farley](#)

Others: [Rep. Campbell](#), [Rep. Steele](#), [Sen. Tovar](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **S1218 Daily History**

#### **Date Action**

TEXT MESSAGING WHILE DRIVING; PROHIBITION 1/29 referred to Senate [trans](#), [gov-env](#), [pub safety](#).

### **S1240: PUBLIC SALE OF ANIMALS**

The crime of unlawful public sale of animals applies in all counties, instead of only counties with a population of 800,000 persons or more. A violation of unlawful public sale of animals is a class 3 misdemeanor, instead of subject to a civil penalty of up to \$50.

ARS Titles Affected: [44](#) [13](#)

First sponsor: [Sen. Melvin](#)

Others: [Rep. Alston](#), [Sen. Farley](#), [Sen. Hobbs](#), [Rep. Kavanagh](#), [Sen. McComish](#), [Rep. Pratt](#), [Sen. Reagan](#), [Sen. Ward](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **S1240 Daily History**

#### **Date Action**

PUBLIC SALE OF ANIMALS 2/18 Senate [jud](#) FAILED 4-5.

PUBLIC SALE OF ANIMALS 2/6 from Senate [com-energy-mil](#) do pass.

PUBLIC SALE OF ANIMALS 1/30 referred to Senate [jud](#), [com-energy-mil](#).

### **S1241: TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED**

For the first six months that a class G driver licensee holds the license, the licensee is prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Does not apply beginning on the licensee's 18th birthday. Instruction permit holders for a class D or G driver license are prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Effective July 1, 2014.

ARS Titles Affected: [28](#)

First sponsor: [Sen. Melvin](#)

Others: [Sen. Cajero Bedford](#), [Sen. Driggs](#), [Sen. Hobbs](#), [Sen. Jackson, Jr.](#), [Sen. Lopez](#), [Sen. McComish](#), [Sen. Pancrazi](#), [Sen. Reagan](#), [Sen. Tovar](#), [Sen. Worsley](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **S1241 Daily History**

#### **Date Action**

TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED 2/20 from Senate [trans](#) do pass.

TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED 2/19 Senate [trans](#) do pass; report awaited.

TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED 2/14 from Senate [pub safety](#) do pass.

TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED 2/5 referred to Senate [trans](#), [pub safety](#).

### **S1266: ILLEGAL DUMPING; PENALTIES**

Establishes a minimum fine or civil penalty for illegal dumping of \$1,800, which cannot be waived or suspended. A person guilty of illegal dumping is also liable for all costs assessed for removing or abating the trash or debris. Establishes a minimum fine for certain types of criminal littering or polluting of \$2,500, which cannot be waived or suspended.

ARS Titles Affected: [9](#) [11](#) [13](#)

First sponsor: [Sen. McGuire](#)

Others: [Sen. Bradley](#), [Sen. Cajero Bedford](#), [Sen. Crandell](#), [Sen. Driggs](#), [Sen. Gallardo](#), [Sen. Griffin](#), [Sen. Jackson, Jr.](#), [Sen. Landrum Taylor](#), [Sen. Lopez](#), [Sen. Melvin](#), [Sen. Pancrazi](#), [Sen. Tovar](#), [Sen. Yarbrough](#), [Sen. Yee](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*



**S1266 Daily History****Date Action**

ILLEGAL DUMPING; PENALTIES 2/25 from Senate [gov-env](#) do pass.

ILLEGAL DUMPING; PENALTIES 2/21 from Senate [pub safety](#) with amend [#4276](#). Senate [gov-env](#) do pass; report awaited.

ILLEGAL DUMPING; PENALTIES 2/20 Senate [pub safety](#) amended; report awaited.

ILLEGAL DUMPING; PENALTIES 1/30 referred to Senate [gov-env](#), [pub safety](#).

**S1268: CLASS G LICENSEES; COMMUNICATION DEVICES**

For the first two years that a class G driver licensee holds the license, the licensee is prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Does not apply beginning on the licensee's 18th birthday. Instruction permit holders for a class D or G driver license are prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Emergency clause.

ARS Titles Affected: [28](#)

First sponsor: [Sen. Farley](#)

Others: [Sen. Ableser](#), [Rep. Campbell](#), [Sen. Crandall](#), [Sen. Hobbs](#), [Sen. Jackson, Jr.](#), [Sen. McComish](#), [Rep. Steele](#), [Sen. Tovar](#)

NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.

**S1268 Daily History****Date Action**

CLASS G LICENSEES; COMMUNICATION DEVICES 1/30 referred to Senate [trans](#), [jud](#).

**S1277: AMATEUR RADIO; STRUCTURES; ACCOMMODATION**

Municipal and county zoning ordinances and HOA regulations must provide for reasonable heights and dimensions for accommodation of amateur radio station emergency service communications antennae and structures.

ARS Titles Affected: [9](#) [11](#) [33](#)

First sponsor: [Sen. Shooter](#)

NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.

**S1277 Daily History****Date Action**

AMATEUR RADIO; STRUCTURES; ACCOMMODATION 1/30 referred to Senate [gov-env](#).

**S1278: HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS**

After the period of declarant control, an HOA has no authority over and is prohibited from regulating any roadway owned or held by a governmental entity. Applies only to planned communities for which the declaration is recorded after December 31, 2014.

ARS Titles Affected: [33](#)

First sponsor: [Sen. Barto](#)

NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.

**S1278 Daily History****Date Action**

HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS 2/25 referred to House [gov](#).

HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS 2/21 passed Senate [22-7](#); ready for House.

HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS 2/19 from Senate [rules](#) okay.

HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS 2/18 to Senate consent calendar.

HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS 2/14 from Senate [pub safety](#) do pass.

HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS 1/30 referred to Senate [pub safety](#).

**S1301: TECH CORRECTION; LIQUOR LICENSES FUND (adopted strike-everything amendment on microbreweries)**

Minor change in Title 4 (Alcoholic Beverages) related to the liquor licenses fund. Apparent striker bus.

ARS Titles Affected: [4](#)

First sponsor: [Sen. Shooter](#)

NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.

**S1301 Daily History****Date Action**

TECH CORRECTION; LIQUOR LICENSES FUND 2/28 retained on Senate COW calendar.

TECH CORRECTION; LIQUOR LICENSES FUND 2/26 from Senate [rules](#) okay.

TECH CORRECTION; LIQUOR LICENSES FUND 2/21 from Senate [com-energy-mil](#) with amend [#4272](#).



TECH CORRECTION; LIQUOR LICENSES FUND 2/20 Senate [com-energy-mil](#) amended; report awaited.  
TECH CORRECTION; LIQUOR LICENSES FUND 2/6 further referred to Senate [com-energy-mil](#).  
TECH CORRECTION; LIQUOR LICENSES FUND 1/31 referred to Senate [rules](#) only.

### **[S1346](#): DANGEROUS DRUGS; ANALOGUES; PENALTIES**

The list of acts that constitute "racketeering" is expanded to include possessing, using, administering, acquisitioning, selling, manufacturing or transporting a dangerous drug. Any substance that is a "drug analogue" (defined) is added to the list of dangerous drugs. The minimum fine for a conviction of possession or use of a dangerous drug is increased to \$2,000, and the minimum fine for a conviction of selling, manufacturing, administering or transporting a dangerous drug for sale is increased to \$25,000.

ARS Titles Affected: [13](#) [15](#) [32](#)

First sponsor: [Sen. Shooter](#)

Others: [Sen. Burges](#), [Sen. Crandell](#), [Sen. Griffin](#), [Sen. McComish](#), [Sen. Melvin](#), [Sen. Pancrazi](#), [Sen. S. Pierce](#), [Sen. Ward](#), [Sen. Yarbrough](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1346](#) Daily History**

#### **Date Action**

DANGEROUS DRUGS; ANALOGUES; PENALTIES 2/19 from Senate [jud](#) do pass.  
DANGEROUS DRUGS; ANALOGUES; PENALTIES 2/4 referred to Senate [jud](#).

### **[S1355](#): PROSTITUTION; CHILDREN; TRAFFICKING**

It is a class 1 (highest) misdemeanor to knowingly enter a house of prostitution or engage a prostitution enterprise for the purpose of paying money or other consideration for sexual conduct. It is no longer a class 1 misdemeanor to knowingly be an employee at a house of prostitution or prostitution enterprise. A minor who is a victim of child prostitution cannot be charged with a violation of prostitution or child prostitution.

ARS Titles Affected: [13](#)

First sponsor: [Sen. Hobbs](#)

Others: [Sen. Farley](#), [Sen. Lopez](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1355](#) Daily History**

#### **Date Action**

PROSTITUTION; CHILDREN; TRAFFICKING 2/4 referred to Senate [jud](#).

### **[S1396](#): SCHOOL BUS STOPS**

A person is prohibited from stopping a school bus to receive or discharge children on a paved state highway if the posted speed limit is greater than 45 miles per hour.

ARS Titles Affected: [28](#)

First sponsor: [Sen. McGuire](#)

Others: [Sen. Cajero Bedford](#), [Sen. Farley](#), [Sen. Griffin](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1396](#) Daily History**

#### **Date Action**

SCHOOL BUS STOPS 2/5 referred to Senate [trans](#), [pub safety](#).

### **[S1466](#): CITIES; TOWNS; DILAPIDATED BUILDINGS**

Municipal ordinances requiring the property owner or occupant to remove dilapidated "structures" (was defined) is modified to provide for removal of "dilapidated buildings," defined as any real property structure that is likely to burn or collapse and its condition endangers the life, health, safety or property of the public.

ARS Titles Affected: [9](#)

First sponsor: [Sen. Griffin](#)

Others: [Sen. Shooter](#)

*NOTE: Measure was originally sponsored by the member(s) shown here. If it has been changed by amendment the sponsor(s) may or may not still support the measure.*

#### **[S1466](#) Daily History**

#### **Date Action**

CITIES; TOWNS; DILAPIDATED BUILDINGS 2/28 referred to House [gov](#).  
CITIES; TOWNS; DILAPIDATED BUILDINGS 2/27 passed Senate [29-0](#); ready for House.  
CITIES; TOWNS; DILAPIDATED BUILDINGS 2/26 from Senate [rules](#) okay.  
CITIES; TOWNS; DILAPIDATED BUILDINGS 2/25 to Senate consent calendar.  
CITIES; TOWNS; DILAPIDATED BUILDINGS 2/19 from Senate [gov-env](#) do pass.  
CITIES; TOWNS; DILAPIDATED BUILDINGS 2/18 Senate [gov-env](#) do pass; report awaited.

